



## Memorandum

**Date:** 2/20/2024  
**Meeting of:** City Council

**File No.** AM No. 24-024  
**Type:** Consent Item

**TO:** Members of the City Council  
**FROM:** Mayor Angela Birney  
**DEPARTMENT DIRECTOR CONTACT(S):**

Planning and Community Development	Carol Helland	425-556-2107
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**DEPARTMENT STAFF:**

Planning and Community Development	Seraphie Allen	Deputy Director
Planning and Community Development	Philly Marsh	Economic Development Manager
Planning and Community Development	David Lee	Current Development and Implementation Manager
Planning and Community Development	Becky Frey	Principal Planner
Planning and Community Development	Kimberly Dietz	Principal Planner

**TITLE:**

Approval of Phase 2 Amendments to the Redmond Zoning and Municipal Codes (LAND-2023-00112 | SEPA-2023-00113)

- a. Ordinance No. 3149: An Ordinance of the City of Redmond, Washington; Amending Redmond Municipal Code Chapter 13.04 Sewage and Drainage; Providing for Severability and Establishing an Effective Date
- b. Ordinance No. 3150: An Ordinance of the City of Redmond, Washington; Amending Title 5 Business Licenses and Regulations of the Redmond Municipal Code; and Amending Title 9 Public Peace, Morals and Safety; Providing for Severability and Establishing an Effective Date
- c. Ordinance No. 3151: An Ordinance of the City of Redmond, Washington, Amending Section 7.04.154 Beekeeping of the Redmond Municipal Code, Providing for Severability and Establishing an Effective Date
- d. Ordinance No. 3152: An Ordinance of the City of Redmond, Washington, Amending the Redmond Zoning Code Section 21.08.340 Home Business, to Provide Conformance with State Legislative Updates Concerning Family Day Care Providers, Providing for Severability and Establishing an Effective Date
- e. Ordinance No. 3153: An Ordinance of the City of Redmond, Washington, Amending the Redmond Zoning Code Chapter 21.06 Urban Recreation and Chapter 21.24 Fences as Part of a Periodic Rewriting of Development Regulations, Herein Referred to as the Redmond Zoning Code (RZC) Rewrite Project Phase 2, to Provide Timely Improvements and Maintenance to the Redmond Zoning Code, and to Provide Conformance with State Legislative Updates, Providing for Severability and Establishing an Effective Date
- f. Ordinance No. 3154: An Ordinance of the City of Redmond, Washington, Amending the Redmond Zoning Code

as a Periodic Rewriting of Development Regulations, Herein Referred to as The Redmond Zoning Code (RZC) Rewrite Project Phase 2, to Provide Timely Improvements and Maintenance to the Redmond Zoning Code and State Legislative Updates, and to Clarify Ambulatory or Outpatient Services as an Allowed Use within the Northwest Design District, Providing for Severability and Establishing an Effective Date

- g. Ordinance No. 3155: An Ordinance of the City of Redmond, Washington, Amending the Redmond Zoning Code as a Periodic Rewriting of Development Regulations, Herein Referred to as the Redmond Zoning Code (RZC) Rewrite Project Phase 2, To Provide Timely Improvements and Maintenance to the Redmond Zoning Code, Providing for Severability and Establishing an Effective Date
- h. Ordinance No. 3156: An Ordinance of the City of Redmond, Washington, Amending the Redmond Zoning Code Chapter 21.76 Review Procedures, a Part of a Periodic Rewriting of Development Regulations, Herein Referred to as the Redmond Zoning Code (RZC) Rewrite Project Phase 2, to Provide Timely Improvements, Clarity, and Maintenance to the Redmond Zoning Code, Providing for Severability and Establishing an Effective Date
- i. Ordinance No. 3157: An Ordinance of the City of Redmond, Washington, Amending the Redmond Zoning Code Section 21.08.340 Home Business, to Provide Conformance with State Legislative Updates Replacing the Term Marijuana with the Term Cannabis, Providing for Severability and Establishing an Effective Date
- j. Ordinance No. 3158: An Ordinance of the City of Redmond, Washington, Amending the Redmond Zoning Code Article 1 Zone Based Regulations as Part of a Periodic Rewriting of Development Regulations, Herein Referred to as the Redmond Zoning Code (RZC) Rewrite Project Phase 2, to Provide Timely Improvements and Maintenance to the Redmond Zoning Code and to Provide Conformance with State Legislative Updates, Providing for Severability and Establishing an Effective Date

**OVERVIEW STATEMENT:**

The Redmond Planning Commission recommends minor amendments to the Redmond Zoning Code. The City's Technical Committee recommends minor amendments to the Redmond Municipal Code. This series of amendments was developed in coordination with Redmond 2050 and represents a periodic update and regular maintenance of the city's development regulations.

On Feb. 20, 2024, the City Council is requested to take action on this amendment series and, in accordance with Redmond Zoning Code (RZC) 21.76.060.Q City Council Decisions on Type VI Reviews, may take one of the following actions:

- Adopt an ordinance adopting the recommendation or adopt the recommendation with modifications; or
- Adopt a motion denying the proposal; or
- Refer the proposal back to the Planning Commission for further proceedings, in which case the City Council shall specify the time within which the Planning Commission shall report back to the City Council with a recommendation; or
- Decide to hold its own public hearing to take further public testimony on the proposal or in order to consider making a modification of the proposal that was not within the scope of the alternatives that could be reasonably foreseen from the notice of the Planning Commission public hearing provided under RZC 21.76.080.F.

☒ **Additional Background Information/Description of Proposal Attached**

**REQUESTED ACTION:**

☐ Receive Information      ☐ Provide Direction      ☒ Approve

**REQUEST RATIONALE:**

- **Relevant Plans/Policies:**
  - Redmond Comprehensive Plan policy PI-11: Ensure that development regulations, functional plans, budgets, and other implementing measures and actions are consistent with and reinforce the Comprehensive Plan.
  - Redmond's Community Strategic Plan including improving equity and inclusion, supporting environmental sustainability and housing choices, supporting infrastructure and economic development opportunities, and responding to the community.
- **Required:**
  - Washington Administrative Code (WAC) 365-196-800 Relationship between development regulations and comprehensive plans. (1) Development regulations under the act are specific controls placed on development or land use activities by a county or city. Development regulations must be consistent with and implement comprehensive plans adopted pursuant to the act. "Implement" in this context has a more affirmative meaning than merely "consistent." See WAC 365-196-210. "Implement" connotes not only a lack of conflict but also a sufficient scope to fully carry out the goals, policies, standards, and directions contained in the comprehensive plan.
  - WAC 365-196-610 Periodic review and update of comprehensive plans and development regulations. (1) Requirements. (a) Counties and cities must periodically take legislative action to review and, if needed, revise their comprehensive plans and development regulations to ensure the plan and regulations comply with the requirements of the act. This review and revision, required under RCW 36.70A.130(1), is referred to in this section as the periodic update.
- **Council Request:**

At the Dec. 5, 2023, Committee of the Whole - Planning and Public Works Committee and during the Jan. 16, 2024, staff report, Councilmembers identified questions regarding the Planning Commission's recommended amendments to development regulations. Following their Jan. 23, 2024, study session, Councilmembers identified revisions to the Planning Commission's recommended amendment. The revisions included:

  - The addition of notification provisions in RMC Title 7 Animals regarding public awareness of beekeeping activities; and
  - Clarification to RMC 13.04 Sewage and Drainage, clarifying responsibilities of property owners, of tenants, or of both parties.

The City Council's Issues Matrix (*Attachment D*) includes Councilmember question and comments, staff responses, and reflects the two revisions as requested by Councilmembers. The revisions are incorporated into Attachment F. Ordinance Amending Redmond Municipal Code Chapter 13.04 Sewage and Drainage and Attachment H. Ordinance Amending Redmond Municipal Code Title 7 Animals.

- **Other Key Facts:**

The City's zoning code was last rewritten in 2011. That rewrite reorganized and updated the former Redmond Community Development Guide to establish the Redmond Zoning Code. A staff team led the effort and coordinated a specially appointed Code Rewrite Commission for the review of proposed changes. Since 2011, the City Council has approved 45 updates, including site- and topic-specific amendments such as: Temporary Uses; Low Impact Development; Marymoor Subarea Plan; periodic clean-up series in 2013, 2015, 2018, 2019, 2020; and the first phase of the Redmond Zoning Code ReWrite.

This series of amendments, Phase 2 of the ReWrite, is requested for the City Council's approval at the February 20, 2024, Council business meeting. Two additional phases of the ReWrite are anticipated, continuing a focused and coordinated improvement to the zoning code, in coordination with Redmond 2050.

#### **OUTCOMES:**

This recommendation, developed in coordination with Redmond 2050, provides for annual maintenance of the city's development regulations including improvements for formatting and organization, strengthening the transparency and accessibility of the code, responding to community requests, supporting process improvement, ensuring conformance with state law, and addressing general corrections of cross-references, phrasing, and grammar.

#### **COMMUNITY/STAKEHOLDER OUTREACH AND INVOLVEMENT:**

- **Timeline (previous or planned):**

Outreach and involvement included the following to community members, property and business owners, faith-based leaders, non-profit organizations, developers, parties of interest, and Parties of Record as defined in RZC 21.76 Review Procedures and 21.78 Definitions:

- Q2 and Q3 2021 - preliminary notification, invitation to participate, and technical testing by staff from the departments of Parks and Recreation, Planning and Community Development, and Public Works.
- Q3 and Q4 2021 - feedback on scoping and conceptual drafts
- Q1 to Q3 2022 - feedback on proposed amendments and technical testing
- Q4 2022 to Q2 2023 - comments on final proposed amendments and SEPA determination of non-significance
- September 27 to October 25, 2023 - Planning Commission's public hearing

- **Outreach Methods and Results:**

Methods included three phases of outreach to project stakeholders to seek preliminary review and feedback on draft amendments to development regulations. Staff facilitated a combination of direct email, Let's Connect tools, the City's website, and virtual and in-person open house events with office hours:

- Conceptual amendments to the code;
- Draft proposed amendments to the code; and
- Final draft proposed amendments and SEPA determination comment period

Three phases of community involvement using direct email and City e-news included:

- Initial awareness of the project's scope of work;
- Draft proposed amendments to code; and
- Final draft proposed amendments, SEPA determination comment period.

*Plans, Policies, and Regulations*, a monthly City e-news, provided frequent information at regular intervals to interested parties and allowed for self-managed participation in the distribution channel.

Staff also provided presentations to interest groups and contributed to the City's YouTube channel.

The methods above allowed staff to confirm feedback from stakeholders by refining early drafts of work and seeking follow-up review. This progressive method of proactive and frequent outreach ensured that the resulting recommendations met interests and addressed concerns expressed by stakeholders, the community, and staff.

- **Feedback Summary:**

Staff received a variety of feedback points and comments during the development and review stages of this project. Background summaries including project stakeholder and community feedback are provided for the individual code amendments. Refer to Attachment B. Background and Summaries of Amendments to the Redmond Zoning and Municipal Codes for additional information.

**BUDGET IMPACT:**

**Total Cost:**

This project is being led and facilitated by Planning and Community Development staff, with the support of Public Work, Parks and Recreation, and Communication staff. This phase of the rewrite involves no additional costs. Outcomes of this current work, in addition to efforts undertaken during the following project phases, support regulatory clarity. Clarity reduces the cost of doing business and ensures that the City recuperates more of the cost of services provided. These amendments will also support smart growth throughout the City resulting in an expanded tax base and other revenues to aid in advancing the community's vision.

**Approved in current biennial budget:** ☒ Yes ☐ No ☐ N/A

**Budget Offer Number:**

#000040 - Community/Economic Development

**Budget Priority:**

Vibrant and Connected

**Other budget impacts or additional costs:** ☐ Yes ☐ No ☒ N/A

*If yes, explain:*

N/A

**Funding source(s):**

General Fund

**Budget/Funding Constraints:**

N/A

☐ Additional budget details attached

**COUNCIL REVIEW:**

**Previous Contact(s)**

Date	Meeting	Requested Action
12/5/2023	Committee of the Whole - Planning and Public Works	Provide Direction
1/16/2024	Business Meeting	Provide Direction
1/23/2024	Study Session	Provide Direction

**Proposed Upcoming Contact(s)**

Date	Meeting	Requested Action
N/A	None proposed at this time	N/A

**Time Constraints:**

N/A

**ANTICIPATED RESULT IF NOT APPROVED:**

The Redmond Zoning Code will remain silent regarding procedural steps for review of expanded daycare services and will continue prohibiting leasing of commercial space to dentists, clinics, and similar business uses in the Northwest Design District.

As this recommendation is provided in coordination with Redmond 2050, staff recommends the City Council take action on the recommended amendments in Q1 2024.

**ATTACHMENTS:**

- A. Planning Commission Report and Recommendations
  - 1. Technical Committee Report
  - 2. Public Hearing Notice
  - 3. Public Comment Matrix
  - 4. Proposed Amendments to the Redmond Zoning Code and, as referenced to the Planning Commission, the Redmond Municipal Code
  - 5. Planning Commission Issues Matrix
- B. Background and Summaries of Amendments to the Redmond Zoning and Municipal Codes
- C. Individual Amendments by Code Title, Chapter, and Section
  - 1. Recommended Amendments Cover Sheet
  - 2. RMC 5.04.140 Criteria for Denial, Suspension, or Revocation of License
  - 3. RMC 5.22.070 Revocation or Suspension of License
  - 4. RMC 9.14 Controlled Substances Paraphernalia, Poisons, and Toxic Fumes
  - 5. RMC 13.04 Sewage and Drainage - Reflecting City Council Revisions
  - 6. RMC Title 7 Animals --- Reflecting City Council Revisions
  - 7. RZC 21.04.030 Comprehensive Allowed Use Chart
  - 8. RZC 21.06 Urban Recreation
  - 9. RZC 21.08.340 Home Business

10. RZC 21.10 Downtown Regulations
11. RZC 21.13.120 MDD Site Standards
12. RZC 21.13.150 MDD Floor Area
13. RZC 21.14 Commercial Regulations
14. RZC 21.14.080 Northwest Design District
15. RZC 21.16 Site Requirements, Measurements, and Other Applicable Regulations
16. RZC 21.24 Fences
17. RZC 21.41 (Formerly) Marijuana-Related Uses (NEW) Cannabis-Related Uses
18. RZC 21.76 Review Procedures
- D. City Council Issues Matrix
- E. Ordinance Amending Redmond Municipal Code Chapter 13.04 Sewage and Drainage
- F. Ordinance Amending Redmond Municipal Code Title 5 Business License and Regulations
- G. Ordinance Amending Redmond Municipal Code Title 7 Animals
- H. Ordinance Amending the Redmond Zoning Code (Redmond Municipal Code Title 21 Zoning Code) for Family Day Cares
- I. Ordinance Amending the Redmond Zoning Code (Redmond Municipal Code Title 21 Zoning Code) for Fences
- J. Ordinance Amending the Redmond Zoning Code (Redmond Municipal Code Title 21 Zoning Code) for Northwest Design District
- K. Ordinance Amending the Redmond Zoning Code (Redmond Municipal Code Title 21 Zoning Code) for Planted Tree Wells
- L. Ordinance Amending the Redmond Zoning Code (Redmond Municipal Code Title 21 Zoning Code) for Process Clarification
- M. Ordinance Amending the Redmond Zoning Code (Redmond Municipal Code Title 21 Zoning Code) for the Term Cannabis
- N. Ordinance Amending the Redmond Zoning Code (Redmond Municipal Code Title 21 Zoning Code) for Article I Zone Based Regulations Clarification, Cross-References, and Conformance